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6 Attorneys for HIRE A HELPER LLC, a California
limited liability company; MICHAEL GLANZ and
7 AMY GLANZ,
Defendants

8 UNITED STATES DISTRICT COURT
9
10 DISTRICT OF ARIZONA

11 U-Haul International, Inc., a Nevada
corporation; eMove, Inc., a Nevada
12 corporation,

13 Plaintiffs,

14 v.

15 Hire A Helper, LLC, a California limited
liability company; Michael Glanz and
16 Amy Glanz, husband and wife; John and
Jane Does I – X; ABC Partnerships I –
17 X; XYZ Corporations I – X,

18 Defendants.

CASE NO. CV 08-1271-PHX-DGC

REPLY TO PLAINTIFFS' RESPONSE IN
OPPOSITION TO DEFENDANTS' MOTION
FOR EXTENSION OF TIME TO OPPOSE
PLAINTIFFS' APPLICATION FOR
PRELIMINARY INJUNCTION ORDER
WITH NOTICE

(First Request)

SPECIAL APPEARANCE

Judge: HON. DAVID G. CAMPBELL

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20 Defendants HIRE A HELPER LLC, a California limited liability company ("Hire
21 A Helper"), MICHAEL GLANZ, and AMY GLANZ, hereby file this Reply to plaintiffs'
22 Response in Opposition to the above-captioned motion for an extension of time to oppose
23 plaintiffs' Application for Preliminary Injunction. This Motion and reply are made as
24 special appearances, whereas defendants have filed a motion to dismiss for lack of
25 personal jurisdiction and improper venue, or in the alternative to transfer, and have not yet
26 filed an answer or generally appeared in this matter.
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1 Plaintiffs state that defendants were sitting on their hands and that defendants'
2 Motion to Dismiss was filed prematurely. Neither contention is correct. The first
3 defendant to be served with the summons and complaint, together with the Application for
4 Preliminary Injunction, was served on July 19, 2008, requiring a response to be filed by
5 August 8, 2008. Defendants first hired counsel to represent them in this matter on July
6 29, 2008. Ten days is a reasonable amount of time to hire counsel, especially when the
7 only notice of any time to respond was the 20 days stated on the summons. Once hired,
8 defendants' counsel attempted to obtain an extension of time to file responsive pleadings.
9 When it was denied, defendants timely responded to the complaint and filed its Motion to
10 Dismiss on August 8, 2008, the last day responsive pleadings were due, to avoid entry of
11 defaults. At the same time, defendants filed this Motion for an extension of time to
12 respond to the Application for Preliminary Injunction.

13 Due to plaintiffs' unwillingness to provide an extension and the likelihood a ruling
14 on the motion for an extension of time might take some time, defendants worked
15 diligently on their Response and have since filed it. The Response was filed
16 coincidentally on the same day that plaintiffs filed their Response to this motion, wherein
17 they offered an extension of five business days from the order, an accommodation that
18 had earlier been refused. By then it was too late, as defendants' Response to the
19 Application for Preliminary Injunction had already been filed. Rather than sitting on their
20 hands, defendants have filed their own substantive motion, and filed a response to
21 plaintiffs' substantive motion, all within just 17 days after counsel was retained.

22 Although briefing will already be completed by both sides, defendants continue to
23 believe that good cause exists to have the jurisdiction and venue matters resolved before
24 holding a hearing on the preliminary injunction. There is no demonstrated emergency in
25 this case that would justify having the preliminary injunction decided first. Plaintiffs have
26 known about the Hire a Helper website since at least November of 2007, which is the date
27 Exhibit F1 was printed out (as attached to the Statement of Facts filed in Support of the
28 Application for Preliminary Injunction). Plaintiffs have not denied that the Verification

1 for the Complaint was originally prepared in April 2008, although not signed until July 2,
2 2008. Plaintiffs also registered the copyright attached as Exhibit A to the Complaint in
3 April 2008, which is a prerequisite to filing a lawsuit for copyright infringement, further
4 indicating that plaintiffs were likely already considering a lawsuit at least by April 2008.
5 There is no emergency shown here.

6 At this point, defendants' request to extend the time for later filing of papers has
7 been overcome by events and is now moot. However, defendants respectfully request that
8 their Motion to Dismiss be heard and decided before the preliminary injunction is set for
9 hearing or otherwise resolved.

10 Respectfully submitted,

11 Dated: August 19, 2008

CALIFORNIA BUSINESS LAW GROUP, PC

13 By s/s Duane S. Horning
14 Attorneys for HIRE A HELPER LLC, a
15 California limited liability company;
16 MICHAEL GLANZ and AMY GLANZ,
17 Defendants
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CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2008, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and copy was simultaneously e-mailed to:

Donald Wilson, Jr.
Sarah L. Barnes
Broening Oberg Woods & Wilson
P.O. Box 20527
Phoenix, AZ 85036
Attorneys for Plaintiff

s/s Christy Gulino Jones